

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 91-312-W - ORDER NO. 91-1070 ✓
NOVEMBER 26, 1991

IN RE: Application of Jimmy Martin for)	ORDER
permission to abandon its water)	GRANTING
system in Saluda County, South)	ABANDONMENT
Carolina.)	

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of a request filed on behalf of Jimmy Martin (the Petitioner). The Petitioner currently operates a small water system on Lake Murray in Saluda County, South Carolina. Presently, the system has not been certified by the Commission, nor have the rates being charged been approved.

The request for the abandonment was duly noticed to the public and the affected customers of the utility. Thereafter, a public hearing was held in the Offices of the Commission, 111 Doctors Circle, Columbia, South Carolina, on October 22, 1991, the Honorable Marjorie Amos-Frazier presiding. Mr. Jimmy Martin appeared on his own behalf and Marsha A. Ward, General Counsel, represented the Commission Staff. The Consumer Advocate had previously intervened and notified the Commission by letter dated August 26, 1991, that it would not participate in any hearings scheduled in this matter. It appeared to the Consumer Advocate


that water customers served by Mr. Martin would have access to an alternate water supply if the Commission allows Mr. Martin to abandon this water system. No other party appeared in opposition to the abandonment, however, the Commission notes that there were two letters in the Docket file from customers concerned with the abandonment.

Mr. Martin testified on behalf of his water company. The water system came about as a result of Mr. Martin's father and uncle developing certain property around Lake Murray in Saluda County. In 1961, the development was sold and Mr. Martin's father and uncle obtained an easement on one of the lots for the purpose of drilling a well. The water system was started for the convenience of the lot owners. When Mr. Martin's father and uncle died, the utility system was passed down to Mr. Martin to operate and maintain. Until recently, the water had been tested by DHEC and there had been no problems. However, the water has not recently met DHEC drinking standards, and DHEC has issued a requirement that the water be boiled for drinking purposes. The system will be expensive to maintain and, according to Mr. Martin, the easement does not exist on the property that the well is located and he has no other land to drill a well on nor the financial means to upgrade the present system. Presently, there is only one full-time and six part-time or weekend customers on the system. Additionally, Mr. Martin stated that since he received

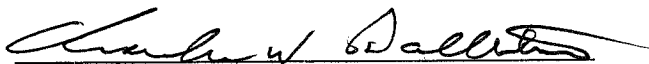
notification that he should have Commission approval of any rates, he has not charged customers since May of 1990 for water service. Mr. Martin further testified that all the lots in the development are waterfront lots and alternative sources of water are available to these customers.

Upon consideration of this matter, the Commission finds that Mr. Martin should be required to operate this water system for three months from the date of this Order. Thereafter, the Company may abandon the water system. The three month period will allow customers to obtain an alternate source of water and the Company will be required to provide adequate service during this time. Mr. Martin has provided the Commission with information relating that there is an alternate source of water and that further any upgrade to the system would cause a financial hardship on Mr. Martin and potentially the customers of the system. Therefore, the Commission hereby approves the abandonment of the system, but that Mr. Martin should maintain the system for an additional three months from the date of this Order before abandoning the system.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director
(SEAL)